IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21706 of 2004

Between:

Saripalli Venkata Ramana,

Son of Sanyasappalanaidu,

Lokottavalasa villge,

Sethampeta Mandal, Old Bus Stand,

Palakonda, Srikakulam District.

..... PETITIONER

AND

1. The Special Deputy Collector,
   (Tribal Welfare), Elwinpeta,
   Srikakulam District.

2. The Mandal Revenue Officer,
   Seethampeta Mandapalam,
   Srikakulam District.

3. The village Administrative Officer,
   Lokottavalasa village, Seethampeta Mandalam,
   Srikakulam District.

4. Pakala Sayamma, Wife of late Appa Rao,
Aged about 40 years.
Lokottavalasa village, Seethampeta Mandalam,
Via.Palakonda, Srikakulam District.

5. Neredu Durgamma, W/o.Late Yendayya,
Aged about 38 years.
Lokottavalasa village, Seethampeta Mandalam,
Via.Palakonda, Srikakulam District.

6. Torika Neelamma, W/o.late Kurmayya,
Aged about 55 years,
Lokottavalasa village, Seethampeta Mandalam,
Via.Palakonda, Srikakulam District.

7. Pattika Chandramma, W/o.late Surayya,
Aged about 55 years,
Lokottavalasa village, Seethampeta Mandalam,
Via.Palakonda, Srikakulam District.

8. Kondagarru Laxmi, W/o.Rama Rao,
Aged about 30 years,
Lokottavalasa village, Seethampeta Mandalam,
Via.Palakonda, Srikakulam District.

9. Nimmaka Saraswathi, W/o.Subbarao,
Aged about 30 years,
Lokottavalasa village, Seethampeta Mandalam,
Via.Palakonda, Srikakulam District.

10. Pattika China Rao, S/o.Surayya,

Aged 33 years,

Lokottavalasa village, Seethampeta Mandalam,

Via.Palakonda, Srikakulam District.

11. Pyta Jayamma, W/o.Prasad, aged 23 years,

Lokottavalasa village, Seethampeta Mandalam,

Via.Palakonda, Srikakulam District.

12. Nimmakka Appa Rao, S/o.Pushpanadham,

Aged about 40 years,

Lokottavalasa village, Seethampeta Mandalam,

Via.Palakonda, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Certiorari by quashing the order of first respondent in O.P.No.143/72 and O.P.50/77 dated 27.8.2004 (T.W) Elwinpeta and holding the rights of the petitioners herein basing on the title deeds and pattadar pass which were issued by the M.R.O., Seethampeta and declaring the proceedings of the first respondent herein are illegal void and without jurisdiction.

Counsel for the Petitioner: MR.T.RAJASEKHARA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent Nos.4 to 12: Mr. Bommagari Prabhakar

The Court made the following :

ORAL ORDER:

When the matter is taken up, the learned counsel for the petitioner has brought to the notice of this Court that an appeal shall lie to the District Collector, Srikakulam and the petitioner intends to prefer an appeal before the District Collector, who is the competent authority to decide and dispose of the appeal in accordance with law.

In view of the above, leave is granted to the petitioner to withdraw the writ petition with a liberty to file an appeal before the competent authority. Till the appeal is filed, status-quo as on today shall be maintained.

The writ petition is disposed of to the extent indicated above. There shall be no order as to costs.

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(K.C. BHANU, J.)

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

26th November, 2004.

bcj

To

1. The Special Deputy Collector,

(Tribal Welfare), Elwinpeta,

Srikakulam District.

2. The Mandal Revenue Officer, Seethampet Mandalam,

Srikakulam District.

3. The Village Administrative Officer, Lokottavalasa village,

Seethampeta Mandalam, Srikakulam District.

4. Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad(OUT).

5. Two CD copies